

Division of Alcohol & Tobacco Control



NEWSLETTER



29th Edition - January 2007

Upcoming Events

Wine and Grape Conference

Feb 4th & 5th

Tan-Tar-A Resort - Lake Ozark

The Division will be manning a booth at the Missouri Wine and Grape Conference to answer questions and provide liquor law assistance.

Server Training Scheduled

Special Agent Todd Doerhoff is hosting two server training sessions on 2/6/07

At Holiday Inn Express Conference Room,

1008 N. State Hwy 47, Warrenton,

The first class will be held from Noon till 2 p.m. and the second class from 2 till 4 p.m.

Mardi Gras 2007

Enforcement efforts will take place around the state in February. Guidelines are in place to instruct industry members on applicable trade practice rules.

2007-2008 License Renewals

Will be in the mail soon -
State law requires licensees
renew by May 1st.

St. Patrick's Day 2007

Various enforcement efforts will be conducted throughout the state on and around St. Patrick's Day.

Law Books

The Division has updated the liquor control lawbook with 2006 legislative changes and has printed new lawbooks using federal grant money. Books are now available.

Raid Conducted at Malden Social Club

A serious situation in Missouri's Bootheel led Malden Police Chief Rod Dill to request the assistance of ATC Agents. On December 10, 2006, Special Agents Don Pickard and Steve VanAusdall culminated a two week investigation into the illegal sale of liquor and drug trafficking at the Social Club and Dance Hall in Malden, Mo. Special Agents Lamont Mitchell and Grayland Nowden were brought in from St. Louis to conduct the undercover investigation resulting in three arrests for sale of liquor without a state license and the subsequent issuance of felony warrants against those involved.



Another patron was arrested for assaulting a police officer. The arrests were effected early morning of December 10th when approximately 40 officers from the Malden Police Department, Kennett Police SWAT team, Dunklin County Sheriff's Department, Missouri Highway Patrol and ATC Agents raided the business. In addition to the large amount of contraband liquor, law enforcement officials also seized a sizable quantity of Marijuana, Crystal Methamphetamine and Crack Cocaine which had been discarded by patrons as officers entered the premises.



Supervisor's Corner

Peter W. Laddell

The "telephone" informal hearings about late renewals have been going very well. A total of 581 licensees have been notified that as repeat offenders they must call in for an informal administrative hearing to consider disciplinary action. These telephone hearings should be finally concluded by early February.

Renewal season is just around the corner. Renewal notices will be going out in March. As all licensees should know, Missouri law requires that all license renewals be submitted before May 1st. This gives the Division staff at least two months to process a total of 26,000 plus licenses that go into effect on July 1. Please help us get all the licenses out on a timely basis.

Alcohol compliance check figures for the month of December 2006 registered the best non-compliance rate yet at 39%. That would make it the first month since we started this program that the non-compliance rate was less than 40%. In January, we will start publishing compliance check statistics in local newspapers, identifying both the failing and passing businesses. Also, those clerks and bartenders that are arrested for sale to minors will be identified in the newspaper by name and age. It is hoped that the publicity will act as a deterrent and increase compliance rates. This was a suggestion that was strongly endorsed statewide in the nine (9) roundtable discussions/town hall meetings hosted by Senator Gibbons regarding underage drinking.

As Supervisor, I have been very disappointed and concerned about the numerous acts of violence occurring across the state, in close proximity of many licensed bars, taverns, and nightclubs in Missouri. This violence is not confined to our largest cities and is occurring in small towns and rural areas as well. Our two largest cities have experienced numerous shootings and several homicides by firearms in and around licensed premises. I have and will continue to take drastic action against licensees that are a magnet for criminals, criminal activity and violent behavior. I am obligated to do my utmost to protect the public safety. I would remind all licensees it is their obligation to:

- 1) Stop or suppress fighting, loud arguments, assaults, brawling, etc.;
- 2) Call the police or local law enforcement immediately and cooperate with them;
- 3) Timely notify the Division;
- 4) Cooperate with ATC Agents.

Due to the high level of violent incidents occurring at 3 a.m. licensees, I may form a Task Force with the St. Louis Excise Commissioner and Kansas City Regulated Industries Director to review 3 a.m. extended hour licenses. Many 3 a.m. licenses do not attract conventioners or tourists, but do attract intoxicated locals, street thugs, gangbangers and other assorted criminals looking for trouble or an easy victim. Problem 3 a.m. extended hours licensees would not be renewed as identified by this Task Force. This Task Force would also review problem licensees that have an extensive track record for acts of violence. We will consider the appropriate corrective/punitive action.

While reviewing violation reports this past year, I have been concerned with the lack of civility and spirit of cooperation by some licensed establishments and their employees. It is not uncommon for ATC Agents to be verbally and physically assaulted, threatened, the victim of profanity attacks and generally uncooperative behavior by some licensees and their employees. Having a liquor license is a privilege and with it comes serious responsibilities. The law requires complete and full cooperation with ATC Division Agents who have unencumbered authority to inspect licensees with their full cooperation. I would ask all licensees to save their argument during an inspection or investigation for the informal hearing, or to be voiced later by their attorney in the proper manner and venue. Uncooperative, disrespectful and assaultive behavior towards my staff will not be tolerated and could result in severe punitive action.

The Mardi Gras is coming up in St. Louis next month. The division is sending twenty or more Agents to help police the event along with the St. Louis Police Department, the Missouri Highway Patrol and St. Louis Excise Commission Investigators. Legal difficulties involving sponsors, Mardi Gras Non-profit corporations and alcohol vendors have been worked out with a clear understanding of Missouri liquor laws and regulations, which has been spelled out in a written agreement. It is hoped that Mardi Gras continues to be a success for the St. Louis community and that everyone enjoys themselves, but acts responsibly and with moderation when it comes to alcohol. I would remind all alcohol vendors to ask for IDs to avoid serving minors and not to serve those individuals already intoxicated. ATC will be conducting compliance checks at Mardi Gras and saturation patrolling for other violations.



Shots Fired!

District II ATC Agents recently found themselves in the midst of a dangerous situation while investigating allegations of liquor law violations at a mid-Missouri after-hours establishment known as 'The House'.

The investigation was initiated when ATC received a complaint from local authorities alleging the unlicensed establishment charged an entry fee and allowed patrons to consume alcohol inside the premise, a violation of Missouri state liquor law.

In the early morning hours of December 9, 2006, Agents drove to the unlicensed premise and observed a line of vehicles waiting to enter the parking area. Agents positioned themselves outside the building and began videotaping patrons entering the establishment. The majority of the patrons were youthful looking and appeared to be consuming alcohol. Shortly into the investigation, Callaway County dispatchers broadcast a disturbance in progress at the location with shots fired and multiple victims.

What Agents didn't know at the time was that gunmen had opened fire into a crowd of approximately 200 patrons and four people had been shot. Before local authorities could respond vehicles began fleeing the scene. One vehicle in particular caught the Agent's attention when it departed the scene at a high rate of speed.

Agents followed the vehicle to a closed medical facility. Two males jumped from the vehicle and began yelling at the Agents. After assessing the situation it was determined that the passenger had been shot. Agents immediately relayed the information to dispatch and began rendering aid to the victim. The passenger was transported to the local hospital via ambulance and the driver was detained and turned over to the Callaway County Sheriff's Office for questioning. MDATC handed the videotape over to local authorities, who used the tape to identify witnesses that otherwise failed to come forward.

Did You Know????? According to the CDC, Alcohol is the most commonly used and abused drug among youth in the United States, more than tobacco and illicit drugs.

Continued from first column - Shots Fired!

Agents are often thrust into dangerous situations due to the very nature of their work. Missouri law prohibits Agents from making arrests for other than liquor or tobacco law violations, unless public safety takes precedence. All MDATC Agents are certified state peace officers and abide by the same continuing education standards mandated by Peace Officer Standards and Training.

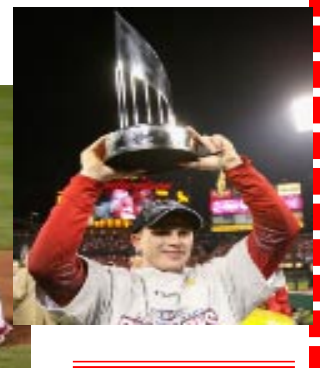
Did you know????? It is estimated that in 1999, \$2.11 billion dollars was spent on alcohol in Missouri

Cardinals Win World Series

ATC Agents Assist With Enforcement

The City of St. Louis filled with enthusiasm as the St. Louis Baseball Cardinals moved toward their eventual berth as world champions.

District III Agents were issued security ID cards to work the playoff and World Series games. This culminated a successful enforcement effort with St. Louis Sportservice and the St. Louis Baseball Cardinal Organization.



Division Wide Training

All employees of the Division attended training in November, December and early January. Topics covered included training on sexual harassment, ethics, and cultural diversity.

Kansas City - District I Enforcement Efforts

Mark Schaberg, Special Agent, District I

Tail Gate Enforcement Kauffman Stadium and Truman Sports Complex

Agents spend much of their time working Royals games at Kauffman Stadium at the Truman Sports Complex. Prior to the game beginning, Agents conduct walk throughs in the parking lot checking for underage drinking at various tailgate parties. The majority of arrests are made during this phase. Afterwards, Agents go into the Stadium and do surveillance. They normally find minors in possession of alcohol and someone supplying it to them. Tickets are issued to both the minor and the supplier.

Multiple Arrests in Independence

District I Agents in conjunction with the Independence Police Department worked a problem location in Independence. The Division had been getting multiple complaints about this bar concerning underage drinking. Agents, along with City Police Officers, went into this drinking establishment and made multiple arrests for minor in possession, sale to minors, sale to intoxicated person, and unauthorized identification. As a result of this investigation, the bar requested and completed Server Training presented by Division Agents and a Detective from the Independence Police Department. The bar also attended a meeting with ATC to discuss better ways to address the issues they were having.

Partners in Prevention

Special Agent Chuck Bidding attended a Partners in Prevention meeting at Northwest Missouri University in St. Joseph. District Supervisor Joe Hodgin attended a meeting with Kansas City Regulated Industries to discuss rules regarding wine manufacturers and underage drinking in the inner city.

UCM Homecoming

Agents from District I and District II worked the University of Central Missouri's Homecoming weekend in Warrensburg. Twenty arrests were made for minor in possession. Several other violations also surfaced including liquor licensees supplying liquor to minors and Retailers possessing product not delivered by a licensed wholesaler.

Tri County Coalition

District I Supervisor Joe Hodgin attended a conference presented by the Tri County Coalition in Richmond, Missouri. Also in attendance were representatives from the Ray County Sheriff's Department, the Richmond Police Department, and local community and school groups. Subjects discussed were underage drinking and alcohol and tobacco compliance checks.

RAP NIGHT

District Agents with District Supervisor Joe Hodgin conducted a Party Patrol investigation at a retail by the drink location in Knob Noster. A 'Rap Night' was planned for that night. Agents worked the parking lot and later went into the premise to conduct an inspection. A previous 'Rap Night' resulted in a shooting in the parking lot, which generated a State Liquor Law violation report and additional undercover investigations.



Arrowhead Stadium

District I and District II agents conducted a Party Patrol at Arrowhead Stadium for the Division II college football game between Pittsburg State and Northwest Missouri State University. There were approximately 45 summonses issued, mostly for minor in possession.

**INFORMAL HEARING/
CONFERENCE RESULTS
OCTOBER THRU DECEMBER 2006**

91 hearings for District I
91 orders issued

50 hearings for District II
50 orders issued

103 hearings for District III
103 orders issued

244 hearings conducted
Total of 244 orders issued
No disciplinary hearings were held
during this time period.

Three revocations were issued and all three
of those licensees appealed the revocation
to the Administrative Hearing Commission.

One case was settled, one was dismissed
and we are currently waiting for the AHC to
make a decision on the third case. Until the
AHC makes a decision, the license will re-
main revoked.

ANNUAL MBWA MEETING

Pete Lobdell, Mike Schler and Karen Gaut
attended the annual Missouri Beer Wholesal-
ers Meeting at the Lake of the Ozarks on
October 11 and 12th, 2006. Pete spoke to
the group of Division concerns regarding
advertising and donation statutes that need to
be reviewed and changed to reflect current
market practices.

**TAX COLLECTED FOR THE MONTH
OF DECEMBER 2006**

Liquor Tax	\$1,791,537.79
Wine 30 Cent Tax	347,864.17
Wine 6 Cent Tax	69,546.73
Wine 6 Cent Tax - Research & Dev.	69,546.67
5% Beer Tax	636,856.57
3.2% Beer Tax	1,429.76
Grand Total	\$2,916,781.69

**TAX COLLECTED FOR THE MONTH
OF NOVEMBER 2006**

Liquor Tax	\$1,672,142.70
Wine 30 Cent Tax	303,896.57
Wine 6 Cent Tax	60,756.74
Wine 6 Cent Tax - Research & Dev.	60,756.65
5% Beer Tax	641,581.68
3.2% Beer Tax	2,005.92
Grand Total	\$2,741,140.26

**TAX COLLECTED FOR THE MONTH
OF OCTOBER 2006**

Liquor Tax	\$1,670,138.69
Wine 30 Cent Tax	235,140.88
Wine 6 Cent Tax	47,032.88
Wine 6 Cent Tax - Research & Dev.	47,032.82
5% Beer Tax	689,971.22
3.2% Beer Tax	2,224.55
Grand Total	\$2,691,541.04

UNDERAGE DRINKING ROUNDTABLES

Senator Gibbons hosted a series of roundtable meetings across the state to discuss the effects of SB402 effective August 28, 2005, addressing underage drinking. There were a total of nine meetings, during September through November, held at each of the Highway Patrol Regional offices. Division employees attended all of the roundtable meetings, and provided information on underage drinking and ATCs' experience with the MIP by consumption law and the alcohol compliance check program. The Division presented statistics regarding the 40% noncompliance rate on alcohol compliance buy checks. ATC is looking forward to continuing to work with Senator Gibbons on these important issues.

FORUM ON UNDERAGE DRINKING HELD

During the month of October, as the fall semester was in full swing, State Supervisor Pete Lobdell made himself available in District III to address issues relating to underage consumption of liquor.

Supervisor Lobdell and District Supervisor Rick Weiser, as well as representatives from area retailers and community leaders were invited to attend a forum on underage and binge drinking at St. Louis University.

The event was hosted and moderated by Mr. Julius Hunter, Director of Community Relations for the University. Missouri State Senator Michael Gibbons hosted two roundtable discussions concerning approaches to the reduction of underage drinking.

State Supervisor Lobdell, Deputy Supervisor Mike Schler, District Supervisor Weiser, Special Agents Myles McDonnell and Don Pickard as well representatives from law enforcement organizations, state mental health officials and educators attended.

These group discussions were conducted at Missouri State Highway Patrol Troop Headquarters in St. Louis County and Poplar Bluff. The meetings were extremely beneficial in that they provided forums for people directly involved in the problem to perhaps impact the legislation.

AD HOC MEETINGS ON DONATIONS AND SPONSORSHIPS

The Division hosted Ad Hoc Meetings with Industry members on Donations and Sponsorships relating to problems that arose during the Soulard Mardi Gras event in St. Louis. The Division went over the current statutes and regulations and provided guidelines for promoters of the Mardi Gras event so that Mardi Gras 2007 would not be in violation of State Liquor Control Laws.

TOBACCO STATS

Total Number of Retailers Checked	277	
Total Number of Counties Checked	34	
Compliant Retailers	155	55.8%
Non-Compliant Retailers	122	44.2%

Dispositions of Violations of Sale to Minor

Retailers Exempt from Penalties	38
Retailers Receiving Letters of Reprimand	71
Retailers Receiving Suspension	1
Retailers Having Pending Dispositions	12

Sales of Tobacco Products to a Minor Arrests

Female over the age of 30 – sale to a minor	47
Females under the age of 30 – sale to a minor	36
Males over the age of 30 – sale to a minor	21
Males under the age of 30 – sale to a minor	19

Total Arrests (Section 407.931.3) 123

Sale of Tobacco Products to Minor- Section 407.931.3

50 Guilty dispositions

\$2787.50 in fines collected by the Courts
1- with serving 1 day in the county jail

1	Not Guilty Dispositions
1	Warrant Status
24	Dismissed Cases
7	Pending Dispositions
32	Unknown Dispositions

Misrepresentation of Age to Purchase Tobacco-(Section 407.933.2)

No Arrests
2- Arrests- Dispositions unknown

NCSLA CONFERENCE

Pete Lobdell, Mike Schler, Steve Shimmens and Karen Gaut attended the Central/Western Region National Conference of State Liquor Administrators. Pete was part of a panel discussing different state sponsorship, advertising and donation issues. Other topics covered during the three day event, October 29 – October 31, 2006, included regulating alcohol in a high risk environment, new trends in licensing, International Wine and Spirit issues and new technology in fake I.D.'s.



PRICE POSTING CHANGES

Price posting has always been labor intensive for the Missouri Wholesalers and ATC employees. In December 2006, ATC, in it's continuing effort to reduce paperwork and data entry while providing increased efficiency and effectiveness, completed the implementation of electronic price posting. Wholesalers now submit their new pricing and price posting changes via the internet. Price posting files are available for viewing on the Division website at www.atc.dps.mo.gov.

REQUEST PERMISSION TO PURCHASE SEVEN NEW CARS

Paperwork was prepared and sent to State Fleet Management requesting the purchase of seven Impalas through the Smart Lease program. If approval is granted, all Agents and Special Agents will be assigned a state vehicle. The Division is waiting for the go ahead from OA.

Fechtel Beverage Advertising Training

The Division presented training to sales employees of Fechtel Beverage on December 14, 2006, hosting an question and answer session, and providing advertising and sign-making guidelines

+++++BUDGET NEWS+++++

We have received news on the Governors recommended budget for the fiscal year 2008 beginning on July 1, 2007 and ending June 30, 2008. I am happy to report that the Governor has included in his budget a "well-deserved" approximate 3% salary increase for all state employees.

The Division has also Received a recommendation for much needed clerical support in the St. Louis and Kansas City District Offices. This will alleviate the extremely large paperwork burden that has been an issue since the budget cuts increased the size of each District.

Also, the \$18,000 refund account has been restored within the budget allowing the Division to begin refunding unused licenses again for FY'2008.

This concludes the first step in the budget process. We will begin our meetings with the House and Senate in early February, and I will keep everyone informed of the status as we go. It looks like it's going to be a good year with no budget cuts on the forefront.

EMPLOYEES PERFORM CHARITY WORK



District III Agents donated their time in charitable events during the fall of 2006. Special Agents Tim Barber, Kevin Klupe and Myles McDonnell along with St. Louis Police Sgt. John McLaughlin volunteered their services at the October 14th fundraiser entitled "Autism Speaks" in Forest Park. The agent's barbequed for several hours at the event which was attended by over 12,000 people. Mr. Rory Schroder and Mr. Norb Schmitt of St. Louis Sportservice spearheaded the effort which raised \$635,000. Another fine example of the Division and the industry working together for a great cause.

As the holidays approached Special Agent Klupe and Sgt. McLaughlin (photo on left) orchestrated a luncheon for over 150 of St. Louis area's elderly. The event provided a

fine lunch as well as holiday cheer. Sgt. McLaughlin's brother Jim, on behalf of the Aramark Corporation, provided "presents" for the guests consisting of items to make the winter months a little easier on the less fortunate.

Central Missouri Food Bank

The Central Office collected food items for Central Missouri Food Bank in December. We brought in 124 pounds of food, which provided over 95 meals. The food bank currently is assisting more than 80,000 people per month, a 7% increase over 2005. Thanks to all who contributed.

2007 Torch Run T-Shirts On Sale Now

If you are interested in purchasing a t-shirt to support Special Olympics Missouri, please contact Lois Alexander, at 573-751-2964, or email her at lois.alexander@dps.mo.gov.

The cost of the shirts are \$10 for childrens short sleeves, and adult short sleeve, sizes S to XXL, XXXL short sleeve are \$15 and long sleeve are \$15. They are a pretty blue this year with yellow and green printing. The money goes towards a good cause.

Volunteers Needed to Assist EOC Relief Support Staff

Governor Blunt reached out to his DPS Division Directors for volunteers. Various ATC employees assisted with telephone coverage at Sema over the weekend of January 20th and 21st. The volunteers were needed to provide clerical support to work a 24 hour shift to help relieve some of the staff there. The Sema staff have been working around the clock to assist Missouri Citizens from the recent ice storms that hit the week, causing numerous power outages. Our thanks go out to Kristy Westrich and Lois Alexander for offering to help. As well as all others that volunteered.

11th Annual Jefferson City Trivia Night Hosted by the Department of Public Safety

Friday, March 30, 2007
Eagles, Jefferson City, MO
Doors open at 7 p.m.
Tables cost \$100.00

If you care to get a table together, please contact Lois Alexander at 573-751-2964 for a registration form and information.

**HAPPY NEW YEAR FROM THE DIVISION OF
ALCOHOL AND TOBACCO CONTROL EMPLOYEES**



On December 21, 2006, Central Office Staff and District II Agents hosted a Christmas luncheon to celebrate the season and to wish Danny Peto well on his transfer to the Kansas City District. Beth Stokes did a wonderful job planning and coordinating the event. The delicious food was catered from Madison's Cafe. Prizes were awarded for Bingo winners and included several free weeks parking in the Supervisor's slot at the Truman Building (a much sought after privilege donated by Pete).

EMPLOYEES SHARE HUNTING PHOTOS



Lois Alexander of Central Office has become an avid turkey and deer hunter in the last 6 years. She took this 20 lb bird with 8 inch beard in May 2006. She also took a 2nd bird in the fall, 20 lb, 10 inch beard.



Keith Hendrickson and his son Matthew out on a quail hunt, fall 2006. Keith and Matthew also deer and turkey hunt as well.



**DOVE HUNT 2006
AT
SPURGEON
FARM
OWENSVILLE, MO**



Matthew Hendrickson, son of Keith Hendrickson, with his gobbler from 2006



Kevin Reed's sons
Nathan (8) with
retrieved birds and
Kaleb (13).

Gary's dog Wally
retrieved birds for
this event.

Matt Blunt, Governor
Mark James, Director Department of Public Safety
Peter W. Lobdell, State Supervisor
Michael Schler, Deputy State Supervisor
Steve Shimmens, Chief of Enforcement
Karen Gaut, Administrative Manager/Editor
Lois Alexander, Publisher
Jefferson City Office 573-751-2333
Central/District II Office 573-751-2964
Kansas City Office 816-889-2574
St. Louis Office 314-340-6835

EMPLOYEE UPDATES



Special Agent Danny Peto

Special Agent Danny Peto made a transfer from the District II - Jefferson City Office to our District I - Kansas City Office on January 1, 2007.

Danny has been with the Division since November 13, 1989. He will be covering the following counties under his new assignment: Caldwell, Clinton, Daviess, DeKalb, Gentry, Harrison, Ray and Worth.

We wished Danny well and sent him off to his new assignment during the ATC Christmas luncheon held December 21st.



Lauren Kremer worked part-time for the Division during her time off from Truman State University. She worked from December 18th until January 5, 2007, assisting Diane Markway's Section with filing.

Departure

Jennifer Smith left our employ on November 15th after the birth of her baby girl to stay home and care for her children. Good luck Jennifer.

TWO EMPLOYEES SHARE 31 YEARS SERVICE



Special Agent Gary L. Spurgeon

Gary started his career with The Division of Alcohol and Tobacco Control on January 12, 1976. Gary has worked in the Central Office since his start. He currently covers the following counties: Crawford, Franklin and Gasconde. Gary is married to Janice and has two sons and resides in Owensville, Missouri. Thank you for your good work and continued service.



Special Agent William J. Torno

Bill also started his career with the Division on January 12, 1976. Bill has always worked in our District III - St. Louis Office. He served as the District III Supervisor for a number of years and continues his work with ATC as a Special Agent covering St. Louis City districts 301 to 303. Bill is married to Peggy and has two children. Thank you for your continued good work and service to the State of Missouri.

Welcome Rodney Keller

District II - Jefferson City, welcomes Rodney Keller to the Central Office. Rodney has been with our District I - Kansas City Office since. Rodney transferred to District II effective January 1, 2007, and will be covering Carroll, Grundy, Linn, Livingston, Mercer, Putnam, and Sullivan counties.